

Massachusetts food waste disposal ban set for October

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New law affects 1,700 businesses and promotes use of anaerobic digestion.

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[REW Staff](#) MARCH 17, 2014

Massachusetts Gov. Deval Patrick's administration has announced final statewide commercial food waste disposal ban regulations to take effect on Oct. 1, 2014. The ban has been designed to divert food waste to energy-generating and composting facilities and reduce the commonwealth's waste stream.

"We are committed to protecting our natural resources and creating jobs as the Commonwealth's clean energy economy grows," says [Energy and Environmental Affairs \(EEA\)](#) Secretary Rick Sullivan in a news release. "The disposal ban is critical to achieving our aggressive waste disposal reduction goals and it is in line with our commitment to increase clean energy production."

The ban, regulated by the Massachusetts Department of Environmental Protection (MassDEP), will require any entity that disposes of at least one ton of organic material per week to donate or repurpose the useable food. Any remaining food waste will be shipped to an anaerobic digestion (AD) facility, where it will be converted to energy, or sent to composting and animal feed operations.

Food materials and organics make up 25 percent of the current waste stream, making the disposal ban an important component of the Patrick administration's strategy to reduce waste disposal, the press release states. The ban will help Massachusetts reach its goal to reduce the waste stream by 30 percent by 2020 and 80 percent by 2050.

The disposal ban affects approximately 1,700 businesses and institutions, including supermarkets, colleges, universities, hotels, convention centers, hospitals, nursing homes, restaurants and food service and processing companies. Residential food materials and food waste from small businesses are not included in the ban.

"The establishment of this regulation is an important milestone for the commonwealth's effort to divert food waste and organics from disposal. However, there is more work to be done to make this effort a success," says MassDEP Commissioner Kenneth Kimmell. "Over the next eight months, we plan to join

with our organics stakeholders to conduct additional outreach, education, technical assistance and infrastructure development to ensure a smooth transition for the businesses covered by the ban.”

AD is a process that puts organic wastes into an enclosed chamber where microbes break down the material, producing an energy-creating biogas. The biogas that remains after the organic materials have been broken down can be put to a variety of uses. It can be used to create heat for industrial processes or fed into a generator to create electricity, or used in a combined heat and power (CHP) system to produce both electricity and heat simultaneously. Biogas can also be converted to compressed natural gas (CNG) and used to fuel vehicles like buses or trucks.

“This waste ban helps make anaerobic digestion a real winner for the Patrick administration’s energy and environmental goals,” says Department of Energy Resources (DOER) Commissioner Mark Sylvia. “Not only will we keep useful organic materials out of landfills, the output of the AD process will power businesses and enhance our clean energy portfolio.”

To ensure that there will be sufficient facilities to manage the organic material resulting from the ban, the Patrick administration is working to site composting and AD operations on farms, wastewater treatment plants and other public and private locations by providing technical assistance and up to \$1 million in grants. MassDEP and DOER awarded the first AD grant of \$100,000 to the Massachusetts Water Resources Agency (MWRA) for its wastewater treatment plant in Deer Island, Mass. The MWRA currently processes sludge in 12 digesters and utilizes the biogas created to provide heat and electricity for the plant. A pilot project later this year will introduce food waste into one of the chambers to determine the effects of codigestion on operations and biogas production.

MassDEP also established the “RecyclingWorks in Massachusetts” program to help businesses and institutions increase recycling and comply with the Massachusetts waste disposal bans. The RecyclingWorks program provides free web-based resources and guidance, available at www.recyclingworksma.com, includes a searchable service provider database, a phone hotline and direct technical assistance. MassDEP also continues to provide technical and financial assistance to municipalities and is adding funding to the existing Recycling Loan Fund to support projects to grow infrastructure for managing organic materials.

Many Massachusetts businesses have already established cost-effective food waste separation programs. Through an innovative partnership between MassDEP and the Massachusetts Food Association, 300 supermarkets have implemented successful food waste separation programs that save up to \$20,000 a year per store location.

“We have worked cooperatively with MassDEP over the years on this and other environmental initiatives, fostering a relationship with the Department that has allowed us to work with our members to have a positive environmental impact,” says Massachusetts Food Association President Chris Flynn. “This relationship is why the supermarket industry has been able to play a leadership role in establishing and maintaining food waste diversion programs well in advance of the waste ban.

“This commercial food waste ban is just one more way Massachusetts continues to lead the way with solutions that not only save on energy and protect our environment, but also green up the bottom line,” says Sen. Marc R. Pacheco, senate chair of the Joint Committee on Environment, Natural Resources and Agriculture. “Through it, we will take another step closer towards achieving our Global Warming Solutions Act goal of reducing greenhouse gas emissions 25 percent below 1990 levels by 2020, and 80 percent below 1990 levels by 2050.”

“I appreciate the efforts by the business community and other public and private entities to reduce food waste,” says Rep. Anne Gobi, house chair of the Joint Committee on Environment, Natural Resources and Agriculture. “New technologies to handle the waste create lasting environmental and economic rewards.”

More information on the food waste and organics ban and its implementation is available at www.mass.gov/eea/docs/dep/recycle/laws/orgguid.pdf.